

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL  
SOFTWARE ANTITRUST  
LITIGATION (NO. II)**

)  
) **Case No. 3:23-md-3071**  
) **MDL No. 3071**  
)  
) **This Document Relates to: ALL CASES**  
)

**ORDER**

As requested, Defendants have filed a Notice of Number and Nature of Defendants' Anticipated Motions and Motion for Excess Pages. ("Notice and Motion") (Doc. No. 297). The Court appreciates the thoughtfulness in Defendants' filing and rules as follows:


1. Defendants may file a single joint 12(b)(6) motion for both the Multi-Family and Student Housing Consolidated Amended Complaints (Doc. Nos. 290 and 291) that tracks the issues in the Notice and Motion. (Doc. No. 297 at 2). The Court recommends that Defendants consider sub-headings to tailor their arguments on specific allegations in the Student Housing Consolidated Amended Complaint. The Court expands Defendants opening brief to 40 pages, Plaintiffs response to 40 pages and Defendants' reply to 15 pages.
2. The following motions may be filed with a page limit of 12 pages for the opening brief, 12 pages for Plaintiffs response and 5 pages for the reply brief:
  - a. LRO Users' Motion to Dismiss (Doc. No. 297 at 4);
  - b. Agency Liability Motion to Dismiss (Doc. No. 297 at 5);
  - c. Thomas Bravo L.P. Motion to Dismiss (Doc. No. 297 at 5);
  - d. Motion to Dismiss for Lack of Personal Jurisdiction in the transferor court (Doc. No. 297 at 6-7);

- e. Motion to Dismiss for Lack of Personal Jurisdiction in the transferee court. (Doc. No. 297 at 7); and
- f. Motion to Enforce Class Action Waiver as to named plaintiff Brandon Watters. (Doc. No. 297 at 7).

For each of the above motions counsel for the parties shall have a meet and confer before filing any such motion. To the extent any motion can be resolved if Plaintiffs seek to file an additional amended complaint that should be discussed during the meet and confer. If not resolved, the Plaintiffs' motion to amend shall certify that the request was discussed during the meet and confer and the positions of all parties.

- 3. Defendants may file a Motion to Stay Discovery pending decision on the motion to dismiss with a page limit of 12 pages for the opening brief, 12 pages for Plaintiffs' response and 5 pages for Defendants' reply.
- 4. Defendants proposed Motion to Strike certain Plaintiffs' class allegations or dismiss certain class claims is premature and reserved.

IT IS SO ORDERED.

  
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WAVERLY D CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE